

Remarks

Claims 1, 16, 36, 45, 64 and 73 have been amended, and claims 40-44 and 74-89 have been canceled. Review and reconsideration in view of these amendments and the remarks below are requested.

The undersigned would like to thank the Examiner for the courtesy of an interview on May 17, 2006. During the interview the Bly and Verhaegen references were discussed, and the undersigned argued that the Bly and Verhaegen references cannot be combined in the manner proposed in the final Office action. The Examiner then indicated that the Folsom reference could be applied to the claims to which Bly and Verhaegen are currently applied. Agreement was then reached that Folsom does not teach a diaphragm thickness of less than 5 microns given that Folsom does not disclose any particular thickness of its BCB layer, and given that the BCB layer of Folsom is used as a protective layer during etching and therefore a thicker, rather than thinner, layer would be utilized.

During the interview the Examiner thus indicated that incorporating the limitations of claim 11 and 53, which specify that the diaphragm has a thickness of less than about 5 microns, into independent claims 1 and 45, respectively, would be favorably considered. By this amendment Applicant has amended claims 1 and 45 to specify that the diaphragm has a thickness of between about 0.1 and about 10 microns. Support for this limitation can be found at page 14, lines 15-17 of the originally filed application. It is submitted that claims 1 and 45 are allowable for the same reasons discussed above which apply to claims 11 and 53. The remaining independent claims have been canceled.

During the interview the Examiner explained the Office's position that the terms "on" or "above" of claim 1 have been construed to mean that sensing components are located on the diaphragm on an opposite side of the base. Now further understanding the Office's position, Applicant does not necessarily agree that one skilled in the art would not be enabled to make and/or use the invention under the interpretation advanced by the Office. However, in order to address this issue and allow the case to proceed to allowance claim 1 has been amended to remove the terms "on" or "above." In any case, the remaining claim term "supported" of claim 1 is clearly enabled and does not imply any particular orientation of the sensing components relative to the diaphragm.

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Amendment After Final

Claim 73 has been amended to address the 35 U.S.C. §112 rejection applied thereto.

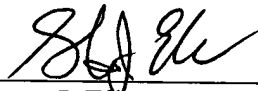
Claim 64 has been amended to correct a typographical error.

It is indicated that claims 1-8, 11-32, 36-39, 45-50, 53, 54, 56-66, 71-73, 90 and 91 are readable on the elected species. In addition, it is submitted that if claim 1 is found allowable that claims 33-35, which depend from claim 1, should no longer be withdrawn.

Thus, in sum, it is submitted that the application is in a condition for allowance, and a formal notice thereof is respectfully solicited.

The Commissioner is hereby authorized to charge any additional fees required, including the fee for an extension of time, or to credit any overpayment to Deposit Account 20-0809. The applicant(s) hereby authorizes the Commissioner under 37 C.F.R. §1.136(a)(3) to treat any paper that is filed in this application which requires an extension of time as incorporating a request for such an extension.

Respectfully submitted,



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